

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING THE ENERGY CONSERVATION REGULATIONS SECTION OF EXHIBIT “A” (MINIMUM STANDARDS/COMMERCIAL GREEN BUILDING PROGRAM) OF ORDINANCE NO. 06-10-110, OF FRISCO’S CODE OF ORDINANCES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas (“Frisco”) to amend the Energy Conservation Regulations section of Exhibit “A” (Minimum Standards/Commercial Green Building Program) of Ordinance No. 06-10-110, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Energy Conservation Regulations section of Exhibit “A” (Minimum Standards/Commercial Green Building Program) of Ordinance No. 06-10-110. Amendment to the Energy Conservation Regulations section of Exhibit “A” (Minimum Standards/Commercial Green Building Program) of Ordinance No. 06-10-110, is hereby amended to read as follows:

“Energy Conservation Regulations

100% of all roof areas shall comply with the specifications of the Environmental Protection Agency’s Energy Star Cool Roof Program, as it exists or may be amended. Alternatives that are equivalent to this standard will be considered for approval by the Chief Building Official.”

SECTION 3: Saving/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal

prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Penalty Provision. Any person, firm, corporation or entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00) or fined a sum not exceeding Two Thousand Dollars (\$2000.00) for violations related to public health, public sanitation, or refuse dumping, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this _____ day of _____, 2008.

Maher Maso, Mayor

**ATTESTED AND CORRECTLY
RECORDED:**

APPROVED AS TO FORM:

Ron Patterson,
Interim City Secretary

Abernathy Roeder Boyd & Joplin P.C.
Claire E. Swann, City Attorneys

Dates of Publication _____, *Frisco Enterprises*